


APPROVED:

ATTEST: 

MAYOR AND COUNCIL  
ROCKVILLE, MARYLAND  
Meeting No. 39-92

November 23, 1992

The Mayor and Council of Rockville, Maryland, convened in General Session in the Council Chamber, Rockville City Hall, 111 Maryland Avenue, Rockville, Maryland, on November 23, 1992, at 7:30 p.m.

PRESENT

Mayor Douglas M. Duncan

Councilmember James F. Coyle

Councilmember Rose G. Krasnow

Councilmember James T. Marrinan

Councilmember David Robbins

In attendance: City Manager Bruce Romer, City Clerk Sharon Gran and Assistant City Attorney David Podolsky.

Prior to the City Manager beginning his report, Mayor Duncan read the following statement regarding the Irvington Farm annexation:

Today we have been advised of a new direction for the proposed Irvington Farm annexation. Representatives of the King family have decided to redirect their efforts toward accomplishing the annexation of the property without the sizable commercial zoning in the current petition.

City staff is working with the property owner to develop a proposed zoning plan which will mirror the County's master plan currently in effect. We anticipate a

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prompt review of this scaled-back petition. It is possible that the annexation may be ready for action by the Mayor and Council in December.

Mayor Duncan requested that a letter be sent to County Executive Neal Potter and the County Council advising them that we will be proceeding with the annexation without provision for a Wal-Mart. It is anticipated that the annexation approval will be accomplished at the meeting of December 14. We do not require the County's review and input for the annexation at this point.

Secondly, it is requested that the County Government find a suitable location in the County for a Wal-Mart. There is a need for this type of retail operation in Montgomery County, and the County should be asked to step forward and take the lead in finding an appropriate site.

A press release is being prepared to make the public aware of this redirection. The attorney for the King family, Rex Sturm, has asked that any questions be directed to him. We are working very quickly to get the agreement finalized in order to meet the anticipated approval date of December 14. This action will protect the City's future tax base.

Councilmember Coyle commented that this is great news. Insofar as a Wal-Mart is concerned, people would like to see one in the area but it was felt that the Irvington Farm site was questionable.

Councilmember Robbins agreed, noting that this removes a source of controversy and will move the whole project forward.

The City Manager advised that staff will work diligently to move this project along.

Re: City Manager's Report

1. As you know, the Mayor and Council directed staff to look into the question of ultimate disposal of refuse and to evaluate all options available. Montgomery County staff has been

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fully informed as to what the City is doing, and the County has been invited to participate in our review process by designating a liaison to work on our task force. We are closely monitoring the County's decision making process as they bring together the work of the citizen task force on the issue of ultimate trash disposal. The task force committee will hold meetings on December 3 or 4, and a decision by the County Council is expected to be made by December 7 or 8. City staff representatives attend all meetings.

Mayor Duncan noted that the City transmitted testimony to Montgomery County for the hearing record on solid waste disposal.

2. This coming Thursday is Thanksgiving Day, and City Hall will be open for business on Friday, November 27.

3. The promotional process in the Police Department for Captain has been concluded, and it was just announced earlier this evening that Lt. Michael England has been promoted to Captain.

Councilmember Coyle referenced a recent article in The Washington Post regarding recycling and asked why the City of Rockville was not included. If the City had been included, we would have been rated number one in the region.

Re: Proclamation declaring the  
month of November as  
**HOSPICE MONTH** in  
Rockville.

Proclamation No. 26-92

By a unanimous vote of the Mayor and Council, the month of November was declared **HOSPICE MONTH** in Rockville. Councilmember Robbins read the Proclamation, the full text of which can be found in Proclamation File No. 7 of the Mayor and Council. Jill Audet from the Holy Cross Hospice and other representatives of local hospices accepted the Proclamation.

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Re: Proclamation declaring the week of November 29 through December 5, 1992, as **HOME CARE WEEK** in Rockville.

Proclamation No. 27-92

By a unanimous vote of the Mayor and Council, the week of November 29 through December 5, 1992, was declared **HOME CARE WEEK** in Rockville. Councilmember Krasnow read the Proclamation, the full text of which can be found in Proclamation File No. 7 of the Mayor and Council. Representatives from local home health care agencies accepted the Proclamation.

Re: Citizens Forum

At this time, the Mayor opened the meeting to hear from any citizen who wished to address the Mayor and Council.

1. Eva Cichy, President of the Rockville Scholarship Foundation, invited everyone to attend the pre-holiday cocktail buffet from 6:00 to 8:00 p.m. on December 8, at the Rockville Civic Center Mansion. This is the only fundraiser held by the Foundation and features entertainment and a silent auction.

Last year, the Foundation awarded seven \$1,000 scholarships to individuals for post-secondary education. Applications are available for residents of the City of Rockville at City Hall.

2. Tom Curtis, 2519 Lindley Terrace, has noticed over the last month that the leaves left for collection tend to become a road hazard. Additionally, with the heavy downpours we have recently experienced, the leaves get washed down into the storm sewers and ultimately into the streams. Residents are instructed to rake the leaves into the gutter for collection. He suggested that another area be designated for pick-up that would be less hazardous.

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Mayor Duncan responded that residents have been requested to put the leaves in the street the day before collection. It is apparent that the City should do a better job of educating residents regarding our leaf collection regulations. He thanked Mr. Curtis for his comments.

Cars park over the leaves, commented Councilmember Marrinan, and this becomes a related safety issue which could cause serious problems.

There being no other citizens wishing to be heard, the Mayor closed the Citizens Forum portion of the meeting.

Re: Appointments

Upon motion of Councilmember Marrinan, duly seconded and unanimously passed, Kenneth Firestone, Robert Slovic and Nathaniel Woodrick were appointed to three-year terms on the Science and Technology Commission.

Upon motion of Councilmember Krasnow, duly seconded and unanimously passed, Louis Fuerst and Richard Resnick were reappointed to two-year terms on the Traffic and Transportation Commission.

Re: Approval of Minutes

Upon motion of Councilmember Krasnow, duly seconded and unanimously passed, the minutes of Meeting No. 37-92 (November 9, 1992) were approved, as amended.

Upon motion of Councilmember Krasnow, duly seconded, with Councilmember Robbins abstaining as he was not present at the meeting, the minutes of Meeting No. 38-92 (November 16, 1992) were approved, as written.

Re: Consent Agenda

Upon motion of Councilmember Robbins, duly seconded and unanimously passed, the

following Consent Agenda Items were approved:

- A. Award of Bid No. 50-93, Irrigation System Pump Station at Redgate Golf Course, to sole bidder, Russell Roberts Company, Inc., in the amount of \$47,348.

The project consists of replacement of three irrigation pumps and construction of a pump house. There are sufficient funds budgeted for this bid award.

- B. Award of Bid No. 54-93, Senior Center Phase II Interior Renovations, to low bidder, Construction Commercial, Inc., in the amount of \$217,000.

This project consists of interior renovations, sprinkler system, mechanical and electrical improvements at the Rockville Senior Center. Sufficient funds have been budgeted for this bid award.

- C. Award of Bid No. 116-92, design/build of heating, ventilation and air conditioning system for indoor locker rooms at the Rockville Municipal Swim Center to sole bidder, Welch and Rusche, Inc., in the amount of \$56,750.

This award calls for the replacement of current ventilation system with an upgrade in order to provide cooling during the summer months. Sufficient funds have been budgeted for this bid award.

- D. Award of Prince George's County Bid No. C93-048 for road salt as part of the Metropolitan

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Washington Council of Governments cooperative purchasing program.

Prince George's County, as the lead jurisdiction for COG, has awarded the annual cooperative contract to Akzo Salt, Inc.

- E. Receipt of October financial reports summarizing the results of City operations for the period from July 1, 1992 through October 31, 1992.

Re: Introduction and Adoption of Ordinance to grant Text Amendment Application T-131-92, Montgomery Housing Partnership, Inc., Applicant.

This application requests amendment to the Zoning Ordinance so as to designate multi-family dwellings as a permitted use in the TCO-1, Town Center Office-One, Zone.

Ordinance No. 20-92

The ordinance was duly introduced. Upon motion of Councilmember Robbins, duly seconded and unanimously passed, the requirement that the ordinance shall lay over for one week was waived.

Mayor Duncan explained that the reason for waiving the layover is that the applicant, Montgomery Housing Partnership, must meet certain deadlines imposed by the Resolution Trust Corporation in order to move forward with their proposal.

Councilmember Krasnow noted that it was quite clear at the public hearing that everyone is in favor of this action and it is something that the community as a whole desires.

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Councilmember Marrinan has heard a number of favorable comments regarding this project. He strongly supports this proposal; it makes sense and meets a social need.

It was noted by Councilmember Coyle that approval of this text amendment would permit other multi-family housing projects in the TCO-1 Zone; this would not be limited to the Town Centre Inn.

Although he was not present for the public hearing, Councilmember Robbins commented that he is impressed with the strong tone of the support for this proposal.

This is a tremendous opportunity for the City, and Mayor Duncan thanked the Montgomery Housing Partnership for their efforts. They did an admirable job of building the community support necessary for this project. Staff was also congratulated on their efforts in expediting the application process. It is a testament to the streamlined process we have in Rockville and our ability to adapt and be responsive to the community.

Upon motion of Councilmember Marrinan, duly seconded and unanimously passed, Ordinance No. 20-92, the full text of which can be found in Ordinance Book No. 17 of the Mayor and Council, was adopted to grant Text Amendment Application T-131-92, Montgomery Housing Partnership, Applicant, to designate multi-family dwellings as a permitted use in the TCO-1, Town Center Office-One, Zone.

Re: FYI/Correspondence

D.A.R.E. Program

Councilmember Krasnow has received comments from several teachers and others who are extremely pleased with this program but who expressed concern that budget constraints may force cutbacks. She has responded that we in Rockville hope that this will not be the case.

Arkansas Advertisement



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Both Councilmember Krasnow and Mayor Duncan commented that the advertisement in the Arkansas Gazette to bring people to Rockville was an excellent idea.

Volunteer Receptionist

Councilmember Coyle complimented staff on finding a volunteer receptionist for the Community Services Department.

Re: New Business

Councilmember Coyle requested an update on the elevator project for the pedestrian overpass at Metro Center and also requested information on pedestrian issues overall.

Councilmember Krasnow read in one of the local papers that Montgomery County has made a decision not to build a new jail. There is an agreement that the County will not further expand the facility on Seven Locks Road at any time in the future.

Mayor Duncan commented that the article quoted the Chairman of the Criminal Justice Coordinating Commission; however, this issue never came up at their last meeting.

He does not think that County officials have made a decision. The three alternatives available are: keep the Rockville facility and build a new one; eventually close the Rockville facility and build a new one; or not build a new facility and expand the Rockville facility. Mayor Duncan requested that a letter be sent to the County as soon as possible reminding them of their earlier commitments. It is important that civic/homeowners associations become involved in this issue, and he requested that they receive copies of the City's letter to the County.

Councilmember Marrinan reported that this issue was discussed at the recent Fallsmead Homes Corporation Meeting. The point was made that the last time the detention center was expanded, there was a condition attached that it was to be temporary and limited. Any consideration

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given to expanding the Seven Locks Facility is unconscionable. Most likely, many current County officials were not involved in earlier discussions; thus, sending letters to the County Council and County Executive informing them of previous commitments is absolutely essential. From the time they decide to go forward with construction of a new facility, there is a four-five year lead time during which period the population at the detention center could escalate. We should ask that the County make provisions for this potential problem so that they do not seek expansion of the Seven Locks facility at some future time.

Re: Next Meeting

The next meeting of the Mayor and Council is a general session to be held on December 14, 1992. In addition to the Irvington Farm annexation, the map amendment requested by Marlo Furniture, the forest and tree preservation ordinance and the street closing and abandonment application filed by Mr. Malusky will be on the agenda.

Re: Adjournment

Upon motion of Councilmember Krasnow, duly seconded and unanimously passed, the meeting was adjourned at 8:15 p.m., to convene again in General Session on December 14, 1992, at 7:30 p.m., or at the call of the Mayor.